

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, SEPTEMBER 18, 2003
8:15 A.M.**

Commissioners Present: Bernie Heier, Chair
Larry Hudkins
Bob Workman
Deb Schorr

Commissioners Absent: Ray Stevens, Vice Chair

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Chief Deputy County Clerk
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:17 a.m.

AGENDA ITEM

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY,
SEPTEMBER 4, 2003**

MOTION: Hudkins moved and Workman seconded approval of the Staff Meeting minutes of September 4, 2003. Hudkins, Schorr, Heier and Workman voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

A. Appointment of Marian Langan to the Ecological Advisory Committee (Exhibit A)

MOTION: Schorr moved and Hudkins seconded approval of the addition to the agenda. Hudkins, Schorr, Heier and Workman voted aye. Motion carried.

3 COMMISSIONER MEETING REPORTS

A. Monthly Meeting with Mayor - Heier, Stevens

Heier reported discussion of Planning Commission appointments, payment of medical expenses for inmates injured during apprehension and a county wheel tax.

B. Monthly Meeting of Public Building Commission (PBC) Chair, Vice Chair and Mayor - Hudkins

See Item 3L.

C. Parks & Recreation Advisory Board - Schorr

Schorr said golf course revenues and the impact expansion of the Lincoln/Lancaster County Health Department would have on Woods Park were discussed.

D. Joint Budget Committee (JBC) - Workman, Stevens

No report.

E. Region V Governing Board - Heier

Heier said C. J. Johnson was appointed Program Administrator for the Region V Mental Health, Alcoholism & Drug Abuse Program.

F. General Assistance Monitoring Committee - Stevens, Schorr

Schorr said legislation will be reviewed to make sure that the State sets aside funds to pay for psychotropic drugs when the mental health system is reorganized.

Eagan reported on the issue of General Assistance (GA) requests from non-residents who enter Cornhusker Place.

G. Air Pollution Control Advisory Board - Hudkins

No report.

H. Families First & Foremost (F³) Conveners Retreat - Schorr

Schorr said the timeline for transfer of the Integrated Care Coordination Unit (ICCU) from Lancaster County to Region V was discussed.

- I. Information Services Policy Committee - Stevens

No report.

- J. Visitors Promotion Advisory Committee (VPAC) - Schorr

Schorr said a Feasibility Study is due by the first of the year.

- K. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Stevens, Workman

No report.

- L. Public Building Commission - Hudkins, Workman

Hudkins said expansion of the Lincoln/Lancaster County Health Department was discussed.

- M. Parking Committee - Hudkins, Workman

No report.

4 LANCASTER COUNTY INSURANCE RENEWALS - Sue Eckley, Workers' Compensation & Risk Management Manager; Kent Sprague, UNICO Group, Inc.

Kent Sprague, UNICO Group, Inc., presented a coverage/cost comparison for renewal of general liability, property, automobile and workers compensation insurance (Exhibit B). Copies of Lancaster County Insurance Policy Register FY1999 - FY2003 (Exhibit C) were also disseminated. Sprague recommended that the County: 1) Decline terrorism coverage; 2) Consider self-insurance; 3) Roll Lancaster Manor into the master contract for property; and 4) Increase the self-insured retention limit for Workers' Compensation.

Sue Eckley, Workers' Compensation & Risk Management Manager, said she is comfortable with a self-insured retention limit of \$500,000. She said she would also like to see an aggregate.

The Board asked Sprague to bring back quotes on different levels of self-insurance.

5 SAFETY COMMITTEE STRUCTURE - Sue Eckley, Workers' Compensation & Risk Management Manager

Sue Eckley, Workers' Compensation & Risk Management Manager, presented a revised draft of Lancaster County Safety Committee Structure (see agenda packet).

ADMINISTRATIVE OFFICER REPORT

I. Insurance Requirements for Contracts

Dave Johnson, Deputy County Attorney, recommended that the aggregate amount in contracts be increased from \$1 million to \$5 million to address exposure under the Tort Claim Liability Act.

Kent Sprague, UNICO Group, Inc., said the increase will not have a significant impact on contractors, as many are already at that level of insurance.

Hudkins expressed concern regarding the impact to smaller contractors.

Sprague said they will be able to obtain the coverage but may pass the cost on to the County.

Sue Eckley, Workers' Compensation & Risk Management Manager, said some of the smaller projects could be reviewed on a case-by-case basis.

Johnson noted that some projects that are low in cost may be inherently dangerous.

Johnson also reported that he met with representatives of the State to discuss the issue of less stringent liability insurance clauses in bridge contracts that the State lets. He said the State has agreed to increase the individual insurance requirements from \$500,000 to \$1 million and the aggregate from \$1 million and \$2 million for the November and December bid letting. The State has also agreed to look at a \$5 million aggregate in the future.

6 BAILIFFS AND CHILD SUPPORT REFEREE SALARIES - District Court Judge Earl Witthoff; Susan Gillan, Child Support Referee

District Court Judge Earl Witthoff asked that the salary for Susan Gillan, Child Support Referee, be increased from \$72,202 to \$85,663 to correspond with the salary paid to Douglas County's child support referees.

Hudkins explained that this is a tight budget year and said professional staff were held to a 3% increase.

Susan Gillan, Child Support Referee, said federal reimbursement is 99.7% of the combined total of the referee and bailiff's salaries (indirect operating expenses).

Dave Kroeker, Budget and Fiscal Officer, appeared and explained that the overall federal reimbursement is 66%.

Gillan said she would like to clarify that the request for an increase is based on salary disparity, not merit.

Schorr said she and Commissioner Stevens have discussed the matter and are willing to "go halfway" in an effort to eliminate the disparity.

Eagan noted that Juvenile Court Judge Linda Porter has requested a greater increase for the bailiff that has additional administrative duties.

Workman, Heier and Hudkins indicated that they will not support an increase greater than 3% for either position.

The item was rescheduled on the September 23, 2003 Board of Commissioners Meeting agenda.

7 INDIGENT SCREENER - Dennis Keefe, Public Defender; Kim Etherton, Community Corrections Director

Dennis Keefe, Public Defender, presented a proposal to keep the Indigent Defense Screener function (the pilot program is currently funded through December 31, 2003). (Exhibits D & E):

- * Fund the Indigent Defense Screener Program to the end of the fiscal year.
- * Place the Indigent Defense Screener function within the new Adult Community Corrections Program so that Kim Etherton, Community Corrections Director, can review and evaluate position descriptions, staffing levels and overall operations of the program before the next budget cycle.
- * Pursue legislation or court ruling to impose an upfront fee for anyone receiving a court-appointed attorney. Money would be used to fund the Indigent Defense Program, including the Indigent Defense Screener Program.

MOTION: Hudkins moved and Workman seconded to: 1) Continue the program until the end of the fiscal year under the direction of Kim Etherton, Community Corrections Director; and 2) Fund the program through the Community Corrections' budget, to the extent possible, with supplemental funding through the Contingency Fund or Keno Fund. Hudkins, Schorr, Heier and Workman voted aye. Motion carried.

8 TORT CLAIMS PROCEDURE - Dave Johnson, Deputy County Attorney

Dave Johnson, Deputy County Attorney, advised Board members to refrain from giving any advice regarding the procedure to file tort claims.

Brief discussion followed and Johnson asked that the item be held to allow Mike Thew, Chief Deputy County Attorney, a chance to address the Board.

ACTION ITEMS

- A. State and Local Assistance Grant Application to Nebraska Emergency Management Agency (NEMA)

MOTION: Hudkins moved and Workman seconded to authorize signature by the Chair. Hudkins, Schorr, Heier and Workman voted aye. Motion carried.

- B. Set Date for Annual Meeting with Villages

A meeting date of January 20, 2004 was set.

- C. County Board Hallway Doors

The Board requested that the information desk be placed in front of the door to the County Board Office.

- D. Purchase of Twenty (20) Tapes to Back Up Imaging Server (\$1,660)
- E. Microcomputer Requests:
 - 1. C#2003-288, \$2,148.50 from Jail Diversion Grant for Pentium IV, 17" Monitor, Laser Printer, Software, Etc.
 - 2. C#2003-310, \$4,989.60 from Sheriff's Law Enforcement Block Grant for Twelve (12) Palm Tungsten C's
 - 3. C#2003-312, \$1,624.35 (20% Families First & Foremost (F³)/80% Integrated Care Coordination Unit (ICCU) Contract) for One (1) HP SB21 Projector

- F. Authorize Kerry Eagan, Chief Administrative Officer, to Sign Two (2) Proxies for Neuberger Berman Genesis Fund and One (1) Proxy for Neuberger Berman Partners Fund
- G. Certification to Board of Public Roads Classification and Standards

MOTION: Workman moved and Hudkins seconded approval of Items 11D - 11G. Hudkins, Schorr, Heier and Workman voted aye. Motion carried.

ADMINISTRATIVE OFFICER REPORT

- A. Request from Sinclair Hille & Associates Inc. for Final Payment on Juvenile Detention Center

Eagan reported a request from Sinclair Hille & Associates Inc. for release of final payment on the Juvenile Detention Center in the amount of \$29,375, noting warranty work is complete.

MOTION: Hudkins moved and Schorr seconded to authorize Kerry Eagan, Chief Administrative Officer, to process the final payment to Sinclair Hille & Associates Inc. Hudkins, Schorr, Heier and Workman voted aye. Motion carried.

- B. Voice Over Internet Protocol

Gwen Thorpe, Deputy Chief Administrative Officer, reported on a test of Voice over Internet Protocol (internet phone system) and said significant savings are projected.

- C. Workplace Smoking Ban

Hudkins said the Board of Health plans to take action on a proposal by the Lincoln/Lancaster County Health Department to require all businesses to be smoke-free and said the smoking ban would apply to the City's three-mile zoning jurisdiction if enacted in its current form.

MOTION: Workman moved and Schorr seconded to recommend that the workplace smoking ban not apply within the City's three-mile zoning jurisdiction, noting the lack of public hearings on the matter. Hudkins, Schorr, Heier and Workman voted aye. Motion carried.

9 MEETING WITH NEBRASKA DEPARTMENT OF HEALTH & HUMAN SERVICES (HHS) REGARDING: A) FAMILIES FIRST & FOREMOST (F³); AND B) INTEGRATED CARE COORDINATION UNIT (ICCU) - Ron Ross, Nebraska Department of Health & Human Services Director; Renee' Dozier, Families First & Foremost (F³) Associate Director

The Chair noted the State's plans to move the Families First & Foremost (F³) Grant Program and Integrated Care Coordination Unit (ICCU) to Region V and asked whether the transfer will jeopardize the F³ Grant Program.

Ron Ross, Nebraska Department of Health & Human Services Director, said the grant was targeted for Lancaster County and said expenditure of grant dollars to benefit youth and families in Lancaster County can be worked out. He also expressed a willingness to be flexible in the timeline for transfer.

Renee' Dozier, Families First & Foremost (F³) Associate Director, said F³'s National Peer Mentor has indicated that transfer of the program in the final year of the grant would not be looked upon favorably and could jeopardize future funding.

Schorr said the F³ Conveners Group believes more time is needed to work out financial, contract and computer changes, reallocation of funding and support of the System of Care.

Ross said it is his understanding that Region V will absorb the entire staff and that Sheryl Schrepf, Families First & Foremost (F³) Director, will continue to be the program administrator. He added that changes to the model in relationship to providers are not anticipated.

Dozier said there are also issues relating to the Youth Assessment Center (YAC) and Office of Juvenile Services (OJS).

Ross said he needs to meet with Region V and see what they are comfortable with doing. He pledged to work with Region V, F³, providers and the families and to assure them that "this is just a good model and we're just trying to get it to spread out to the other counties".

Schorr said she would like to clarify that Ross is not interested in moving the grant before the end of the term.

Ross said that is correct.

Kathy Dunning, Family Coordinator (F³), appeared and expressed concern that the families and staff were not consulted regarding the change. She also noted that: 1) ICCU funds a portion of other partners in the System of Care; 2) There is at least one more year of grant funding and funds for prevention and youth that are not state wards in the ICCU may only be available through the County mechanism; and 3) More community wraparound services are needed for youth that are not state wards.

Hudkins exited the meeting at 11:00 a.m.

Also present were: Kit Boesch, Human Services Administrator; Dennis Banks, Lancaster County Juvenile Detention Center Director; Gus Hitz, Youth Assessment Center Director; C. J. Johnson, Program Administrator for the Region V Mental Health, Alcoholism & Drug Abuse Program; Nyla Helge, System of Care and ICCU Director (F³); Jim Blue, Cedars Youth Services Executive Director, and Katie McLeese Stephenson, Cedars Youth Services.

10 FINAL PLAT APPROVAL PROCESS - Brian Carstens, Carstens & Associates; Marvin Krout, Planning Director; Mike DeKalb, Planning Department; Larry Worrell, County Surveyor

Discussion took place with Brian Carstens, Carstens & Associates; Marvin Krout, Planning Director; Mike DeKalb, Planning Department; and Larry Worrell, County Surveyor, on how to streamline the process for final plat approval. Suggestions included: 1) Administrative approval for final plats that do not involve waivers, with right of appeal to the governing body (may require legislation); 2) County Board action on the resolution on the same date as the public hearing; and 3) Final plat approval contingent upon sign-off by the County Engineer.

11 ACTION ITEMS

- A. State and Local Assistance Grant Application to Nebraska Emergency Management Agency (NEMA)
- B. Set Date for Annual Meeting with Villages
- C. County Board Hallway Doors
- D. Purchase of Twenty (20) Tapes to Back Up Imaging Server (\$1,660)
- E. Microcomputer Requests:
 - 1. C#2003-288, \$2,148.50 from Jail Diversion Grant for Pentium IV, 17" Monitor, Laser Printer, Software, Etc.
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- 3. C#2003-312, \$1,624.35 (20% Families First & Foremost (F³)/80% Integrated Care Coordination Unit (ICCU) Contract) for One (1) HP SB21 Projector
- F. Authorize Kerry Eagan, Chief Administrative Officer, to Sign Two (2) Proxies for Neuberger Berman Genesis Fund and One (1) Proxy for Neuberger Berman Partners Fund
- G. Certification to Board of Public Roads Classification and Standards

Items A-G were moved forward on the agenda.

Workman exited the meeting at 11:35 a.m.

12 ADMINISTRATIVE OFFICER REPORT

- A. Request from Sinclair Hille & Associates Inc. for Final Payment on Juvenile Detention Center
- B. Voice Over Internet Protocol
- C. Workplace Smoking Ban

Items A, B and C were moved forward on the agenda.

- D. Appointments to Air Pollution Control Advisory Board (Wayne Heyen, Kevin Horne, Sitaram Jaswal, Carol Swigard, Rick Gardner and Brittawni Olson)

The item was scheduled on the September 23, 2003 Board of Commissioners Meeting agenda.

- E. Press Conference Regarding Jamaica North Trail

Workman will attend the press conference.

- F. Engine Brakes

Item held.

- G. Request from Melvin Moore, American Federation of State, County & Municipal Employees (AFSCME) Local #2468 President, to Meet with Two Commissioners

Board consensus was to deny the request.

- H. Amendment of Visitors Promotion Advisory Committee (VPAC) Committee By-Laws

Eagan said it is proposed that the Visitors Promotion Advisory Committee (VPAC) meet once a month at the discretion of the Committee.

- I. Insurance Requirements for Contracts

Item moved forward on the agenda.

- J. Request from Records and Information Management for Temporary Employee

Eagan reported a request from Records and Information Management for authorization to hire a temporary employee if there is an employee absence of more than two weeks.

Board consensus was to approve the plan.

- K. Appointment of James Schultz to Government Access & Information Committee (GAIC)

The item was scheduled on the September 23, 2003 Board of Commissioners Meeting agenda.

- L. LR91 Hearing (Wednesday, September 24, 2003)

Eagan said he plans to attend the hearing.

- M. Exceptional Circumstance Award for Corey Steele, Juvenile Detention Expediter

Kit Boesch, Human Services Administrator, appeared and said Corey Steele, Juvenile Detention Expediter, will take over responsibility for the Graduated Sanctions Program and said she will set aside Juvenile Accountability Incentive Block Grant (JAIBG) funds to fund a step increase for Steele.

The Board asked Gus Hitz, Youth Assessment Center Director, to rewrite Steele's job description to reflect his new duties.

The Board will take action on the exceptional circumstance award at the September 23, 2003 Board of Commissioners Meeting.

- N. Annual Nebraska Association of County Officials (NACO) Conference Welcome and Reception (Tuesday, October 14, 2003 at 4 p.m. at Cornhusker Hotel)

The Chair will give the welcome.

ADDITIONS TO THE AGENDA

- A. Appointment of Marian Langan to the Ecological Advisory Committee (Exhibit A)

Item was scheduled on the September 23, 2003 Board of Commissioners Meeting agenda.

13 ADJOURNMENT

MOTION: By direction of the Chair, the meeting was adjourned at 11:45 a.m..

Bruce Medcalf
Lancaster County Clerk